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In re Application of  
Kemmons A. Tubbs  
Application No. 10/710,991  
Filed: August 16, 2004  
Attorney Docket No. 41821.0937

NOTICE

This is in response to the petition under 37 CFR 1.28 filed by facsimile transmission on September 18, 2006, which is being treated as a Request under 37 CFR 1.27(c) seeking status as a small entity.

The statement claiming small entity status has been made of record and small entity status has been accorded. Therefore, the large entity issue fee payment of \$1,400, filed June 16, 2006, will be reduced by half, leaving a refund of \$700 to be credited to petitioner's deposit account, as authorized.

The application file is being referred to Files Repository.

  
Andrea Smith  
Petitions Examiner  
Office of Petitions